



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Promoting the wise use of land
Helping build great communities

SUBDIVISION REVIEW BOARD

MEETING DATE September 12, 2016	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Mary Matakovich	FILE NO. CO 05-0183 SUB2004-00379
SUBJECT A request for a <u>Third Time Extension</u> by <u>MARY MATAKOVICH</u> for a Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit (CO 05-0183) to subdivide an existing 8,083 square foot parcel into three parcels of 1,478, 1,345, and 1,618 square feet each for the purpose of sale and development and one common lot of 3,642 square feet and construction of three residential dwelling units of 1,645 square feet each. The project will result in the disturbance of approximately 6,640 square feet of an 8,083 square foot parcel. The proposed project is within the Residential Multi-Family land use category and is located at 250 Laurel Street, in the community of Avila Beach. The site is in the San Luis Bay (Coastal) planning area.			
RECOMMENDED ACTION Approve the <u>third time extension request</u> for Tentative Parcel Map CO 05-0183.			
ENVIRONMENTAL DETERMINATION The proposed project was found to be consistent with the Avila Beach Specific Plan EIR on September 12, 2005.			
LAND USE CATEGORY Residential Multi-Family	COMBINING DESIGNATION Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 076-201-078	SUPERVISOR DISTRICT(S): 3
PLANNING AREA STANDARDS: Water Authorization; Avila Beach Specific Plan			
LAND USE ORDINANCE STANDARDS: Multi-Family Dwelling; Parking			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Multi-family/residences East: Residential Multi-family/residence South: Residential Multi-family/residences West: Residential Multi-family/residence			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative parcel map was originally referred to: Avila Valley Advisory Council, Public Works, Environmental Health, CalFire, Avila Community Services District, APCD, County Parks, California Coastal Commission, Regional Water Quality Control Board			
TOPOGRAPHY: Moderately sloping from South to North.		VEGETATION: Scattered oaks, fruit trees, ornamentals	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community system Fire Protection: CalFire		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit CO 05-0183 was approved by the Subdivision Review Board on September 12, 2005 and was set to expire on September 12, 2016. The applicant requested the **third one year time extension and paid the extension application fee on July 13, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit (CO 05-0183) is a request by Mary Matakovich to subdivide an existing 8,083 square foot parcel into three parcels of 1,478, 1,345, and 1,618 square feet each for the purpose of sale and development and one common lot of 3,642 square feet and construction of three residential dwelling units of 1,645 square feet each. The project will result in the disturbance of approximately 6,640 square feet of an 8,083 square foot parcel.

This vesting tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for vesting tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved vesting tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was September 12, 2007. The Subdivision Review Board approved a first one year time extension request on September 10, 2007 and the new expiration date was September 12, 2008. After the legislative time extensions had run (see discussion below), the landowner made a timely request for a second one year discretionary time extension. After an inadvertent administrative delay, the Subdivision Review Board approved the second one year time extension request on June 6, 2016 and the new expiration date was September 12, 2016. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **third discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. The Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit was extended to September 12, 2009.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. The Vesting Tentative

Parcel Map/Development Plan/Coastal Development Permit was extended to September 12, 2011.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. The Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit was extended to September 12, 2013.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 it extends the tentative map twenty four (24) months. The Vesting Tentative Parcel Map/Development Plan/Coastal Development Permit was extended to September 12, 2015.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the tentative map, staff recommends to the Subdivision Review Board that the **third one year time extension** be granted to September 12, 2017 subject to the conditions of approval set by the Subdivision Review Board on September 12, 2005.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, September 12, 2005

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner